

The Honorable Thomas S. Zilly  
FILED \_\_\_\_\_ ENTERED \_\_\_\_\_  
LODGED \_\_\_\_\_ RECEIVED \_\_\_\_\_  
MAY 23 2002 MR  
AT SEATTLE  
CLERK U.S. DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
DEPUTY

CV 01-01081 #00000036

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

MUIO TRAN, KIM CUC NGUYEN, NHU  
HUU TRAN, a minor child, LOAN HUU  
TRAN, a minor child,

Plaintiffs,

v.

CITY OF SEATTLE, et al.,

Defendants.

No. CO1-1081-Z

DECLARATION OF NICHOLUS  
BAUER IN SUPPORT OF  
SUMMARY JUDGMENT

NICHOLUS BAUER declares as follows:

1. I make this declaration on the basis of personal knowledge and am  
competent to testify to the matters herein.

2 I am a police officer with the Seattle Police Department and was so on  
July 19, 1999.

3 On July 19, 1999, I received a call for fast back up. I notified dispatch that  
I was on my way to the officers' location at 5101 South Orchard Street. When I was  
about a half block from the scene I was advised by dispatch that my assistance was no

DECLARATION OF NICHOLUS BAUER IN  
SUPPORT OF SUMMARY JUDGMENT - 1

M:\CLIENTS\3019\22003\FEDERAL PLEADINGS\BAUER DECL.DOC

STAFFORD FREY COOPER  
Professional Corporation  
ATTORNEYS  
2500 RAINIER TOWER  
1301 FIFTH AVENUE  
SEATTLE, WASHINGTON 98101-2621  
TEL. (206) 623-9900

ORIGINAL


36

longer needed. I drove by the scene and noticed a number of police vehicles in the vicinity. I then returned to my regular duties.

I was not involved in the incident underlying this complaint in any way. To my knowledge, I have never met Muio Tran, Kim-Cuc Nguyen, Nhu Huu Tran, or Loan Huu Tran, nor have I had any other contact with them, individually or collectively. Other than what I have heard through the grapevine, I know nothing about this case.

I CERTIFY under penalty of perjury under the laws of Washington State that the foregoing is true and correct.

DATED this 27 day of APRIL, 2002.

  
Nicholas Bauer

DECLARATION OF NICHOLUS BAUER IN  
SUPPORT OF SUMMARY JUDGMENT - 2

UNCLERKED BY 152203VFD/RAIL FLEADING/BAUER DECL.DOC

STAFFORD FREY COOPER

ATTORNEYS

2500 RAINIER TOWER  
1301 Fifth Avenue  
SEATTLE WASHINGTON 98101-2621  
Tel. (206) 623-9900